

# EXHIBIT A

SABATINI FREEMAN, LLC

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September 16, 2021

Merchants & Medical Credit Corporation, Inc.  
6324 Taylor Drive  
Flint, MI 48507

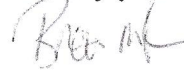
*VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED*

**RE: Justine Moore v. Merchants & Medical Credit Corporation, Inc.  
Lackawanna County Court of Common Pleas  
Docket: 21-cv-3944**

Dear Sir or Madam:

Enclosed please find a time-stamped complaint in the above-referenced matter. Please ensure that all evidence related to this lawsuit is preserved. If you have any question about whether evidence would be related to the lawsuit, please contact me to discuss.

Sincerely yours,



Brett M. Freeman

BF/smd

Justine Moore  
1707 Elizabeth Street  
Scranton, PA 18504

Plaintiff

v.

Merchants & Medical Credit Corporation,  
Inc.  
6324 Taylor Drive  
Flint, MI 48507

Defendant

IN THE LACKAWANNA COUNTY  
COURT OF COMMON PLEAS

Civil Action

No.

Jury Trial Demanded

21CV 3944

MAURI B. KELLY  
LACKAWANNA COUNTY  
2021 SEP 15 A 1:25  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by plaintiff(s). You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Northeastern Pennsylvania Legal Services  
33 North Main Street, Suite 200  
Pittston, PA 18640  
Telephone (570) 299-4100

Justine Moore, v. Merchants & Medical Credit Corporation, Inc.	Plaintiff  Defendant	IN THE LACKAWANNA COUNTY COURT OF COMMON PLEAS  Docket No.
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MAURIE B. KELLER  
LACKAWANNA COUNTY  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION  
2021 SEP 15 A 11:23

# **COMPLAINT**

## **I. INTRODUCTION**

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter “the Act”). Defendant illegally disclosed information about Plaintiff to a third-party, in direct violation of the Act.

## **II. JURISDICTION AND VENUE**

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.
3. Venue in this Court is proper in that Plaintiff resides here, the conduct complained of occurred here, and Defendant transacts business here.

## **III. PARTIES**

4. Plaintiff is a natural person residing at 1707 Elizabeth Street, Scranton, PA, 18504.
5. Plaintiff is, and at all relevant times was, a “consumer” as defined by 15 U.S.C. § 1692a(3).
6. Merchants & Medical Credit Corporation, Inc. is an entity with an address of 6324 Taylor Drive, Flint, MI 48507.
7. The principal purpose of Defendant’s business is the collection of debts.

8. Defendant has reason to believe that a non-trivial portion of the accounts that it collects are for obligations for which the money, property, insurance or services which were the subjects of the transactions were primarily for personal, family, or household purposes.

9. Defendant has reason to believe that it is probably true that the principal purpose of its business is the collection of “debt” as that term is defined by 15 U.S.C. § 1692a(5).

10. Defendant regularly attempts to collect debts asserted to be due to another. The term “debt” is used in this allegation as that term is defined by 15 U.S.C. § 1692a(5).

11. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6).

#### IV. STATEMENT OF CLAIM

12. The foregoing paragraphs are incorporated herein by reference.

13. Congress enacted the Act to prevent real harm. Congress found that “abusive debt collection practices [we]re carried on to a substantial extent in interstate commerce and through means and instrumentalities of such commerce.” 15 U.S.C. § 1692(d).

14. One of the abusive debt collection practices the Act was designed to curb was “invasions of individual privacy.” 15 U.S.C. § 1692(a).

15. In order to help achieve this goal, the Act prohibits, absent a few exceptions not relevant to the present matter, a debt collector from communicating with a third-party in connection with the collection of a debt. 15 U.S.C. § 1692c(b).

16. Merchants & Medical Credit Corporation, Inc. is a company which was attempting to collect an alleged debt (“the Debt”) from Plaintiff.

17. On or shortly before August 23, 2021, Merchants & Medical Credit Corporation, Inc. decided to send a letter to Plaintiff regarding the Debt.



18. However, rather than preparing and mailing the letter to Plaintiff on its own, Merchants & Medical Credit Corporation, Inc. chose to utilize a third-party vendor to perform these services on its behalf. The factual contentions in this paragraph will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

19. As part of this process, Merchants & Medical Credit Corporation, Inc. conveyed information regarding the Debt to the third-party vendor.

20. The information Merchants & Medical Credit Corporation, Inc. conveyed to the third-party included Plaintiff's name, address, status as a debtor, as well as the precise amount of the Debt and the entity to which Plaintiff allegedly owed the Debt.

21. The conveyance of this information to the third-party constituted a "communication" as that term is defined in 15 U.S.C. § 1692a(2).

22. The conveyance of this information to the third-party was a communication made in connection with the collection of a debt. *See Hunstein v. Preferred Collection & Mgmt. Servs., Inc.*, 994 F.3d 1341 (11th Cir. 2021).

23. The third-party then, at the direction of Merchants & Medical Credit Corporation, Inc., utilized this information to generate and mail a letter to Plaintiff.

24. This collection letter was a "communication" as that term is defined in 15 U.S.C. § 1692a(2).

25. The collection letter was mailed on or about August 23, 2021. A redacted copy of this collection letter is attached as Exhibit A.

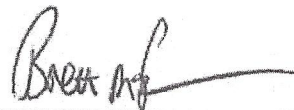
26. Plaintiff never consented to Merchants & Medical Credit Corporation, Inc. communicating with the third-party vendor in connection with the collection of the Debt.

27. By improperly conveying information regarding Plaintiff to a third-party in connection with the collection of a debt, Merchants & Medical Credit Corporation, Inc. violated 15 U.S.C. § 1692c(b). *See Hunstein v. Preferred Collection & Mgmt. Servs., Inc.*, 994 F.3d 1341 (11th Cir. 2021).

WHEREFORE, Plaintiff demands judgment against Defendant for statutory damages of no more than \$1,000.00, costs, attorney's fees, and such other and further relief as deemed just and proper.

V. DEMAND FOR JURY TRIAL

28. Plaintiff demands a trial by jury as to all issues so triable.



Brett Freeman  
Bar Number: PA 308834  
Sabatini Freeman, LLC  
216 N. Blakely St.  
Dunmore, PA 18512  
Attorney for Plaintiff  
Phone (570) 341-9000

CERTIFICATION OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.



Brett Freeman: PA 308834  
Sabatini Freeman, LLC  
216 N. Blakely St.  
Dunmore, PA 18512  
Attorney for Plaintiff  
Phone (570) 341-9000

MAURI B. KELLY  
LACKAWANNA COUNTY  
2021 SEP 5 A 11:25  
CLERK OF JUDICIAL  
RECORDS DIVISION

**Verification of Complaint and Certification by Plaintiff**

Plaintiff, Justine Moore, being duly sworn according to law, deposes as follows:

1. I am a plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in the cost of litigation to the Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 09-13-2021

Justine Moore

Justine Moore, Plaintiff



**EXHIBIT A**

**Letter Dated August 23, 2021**



6324 Taylor Drive, Flint, Michigan 48507-4685  
Local (810) 244-3318 Toll-Free (877) 931-8222

Business Hours - Eastern Standard Time  
Monday - Friday 8:15 A.M. - 5:30 P.M.  
Saturday 8:15 A.M. - 12:30 P.M.

Statement Date: August 23, 2021  
Reference Number: [REDACTED]

CURRENT CREDITOR: CAPITAL ONE, N.A.  
ORIGINAL CREDITOR: CAPITAL ONE, N.A.  
RE: YOUR KOHL'S CREDIT CARD ACCOUNT \*\*\*\*\*[REDACTED]  
CURRENT BALANCE: \$1,091.68

**40% OFF**  
**PAY 60% OF YOUR DEBT AND IT'S RESOLVED! LIMITED TIME OFFER!**  
**YOU OWE \$1,091.68 - RESOLVE FOR \$655.01**

Dear JUSTINE MOORE:

Our client has agreed to accept a reduced amount to satisfy this debt.

You may take advantage of this offer by paying \$655.01 to our office.

If we do not hear from you or receive your funds, we will assume you do not wish to take advantage of this offer. If you choose not to pay \$655.01 or do not fulfill the terms of this offer, you will owe the entire balance of \$1,091.68 less any amount paid after the date of this statement. We are not obligated to renew this offer.

If you have any questions, or wish to pay by phone, please call our courteous staff. Make your check or money order payable to the above-referenced creditor or Merchants & Medical Credit Corporation, Inc.

Kathy Vickers, Ext 412

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.**

**40% OFF OFFER**

Reference Number: [REDACTED]  
Current Balance: \$1,091.68  
Balance Due with Offer: \$655.01

Inside Michigan (810) 244-3318  
Outside Michigan (877) 931-8222  
Business Hours - Eastern Standard Time  
Mon - Fri 8:15 A.M. - 5:30 P.M.  
Saturday 8:15 A.M. - 12:30 P.M.

JUSTINE MOORE  
1707 Elizabeth St  
Scranton PA 18504-1219

Remit Payment To:  
Merchants & Medical  
Credit Corporation, Inc.  
6324 Taylor Drive  
Flint MI 48507-4685

# Signature Certificate

Document Ref.: AHVCQ-ETJNE-RPVUB-XROQP

Document signed by:

	<b>Justine Moore</b> Verified E-mail: neenx45@gmail.com	 
		

Document completed by all parties on:

13 Sep 2021 21:29:31 UTC

Page 1 of 1



Signed with PandaDoc.com

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